

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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JOHN SMITH,	:	
	:	
Plaintiff,	:	
	:	
-against-	:	
	:	
DEPUTY SUPERINTENDENT EILEEN GONZALEZ-	:	
RUSSELL, DEPUTY SUPERINTENDENT FOR PREA	:	
ELAINE VELEZ, DOCTOR MICHELLE SMALL,	:	
OFFENDER REHABILITATION COORDINATOR	:	Civ. Action No. <u>22-CV-7384</u>
LAURA SCHADE, PREA SERGEANT I. MEDINA,	:	
SUPERVISING OFFENDER REHABILITATION	:	
COORDINATOR JOY DEJESUS, AND	:	
SUPERINTENDENT AMY LAMANNA in their	:	
individual capacities;	:	
	:	
Defendants.	:	
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**~~PROPOSED~~ ORDER GRANTING PLAINTIFF’S
MOTION TO PROCEED ANONYMOUSLY**

Upon the motion of Plaintiff in the above-captioned case for permission to proceed anonymously by means of the pseudonym “John Smith,” (the “Motion”); and the Court having reviewed Plaintiff’s Motion, as well as Plaintiff’s Memorandum of Law in Support of Plaintiff’s Motion to Proceed Anonymously and (Under Seal) Plaintiff’s Declaration in Support of Motion to Proceed Anonymously (the “Declaration”) filed contemporaneously therewith; and the Court having found that Plaintiff’s interest in anonymity outweighs the public interest in disclosure and any prejudice to Defendants; and the Court having found that Plaintiff’s Notice of the Motion and opportunity for a hearing on the Motion was appropriate and no other notice need be provided; and after due deliberation and sufficient cause appearing therefor;

IT IS HEREBY ORDERED THAT:

1. Plaintiff's motion to proceed anonymously by means of the pseudonym "John Smith", as reflected in the caption of this matter, is GRANTED.

2. All public filings filed with the Court in connection with this action shall identify the Plaintiff as "John Smith." All documents, including exhibits and affidavits, publicly filed with the Court which contain the actual name of the Plaintiff or information which otherwise identifies the Plaintiff, directly or indirectly, including but not limited to his birthdate, address, New York State Department of Corrections and Community Supervision Departmental Identification Number ("DIN"), or New York State Identification Number ("NYSID"), shall be redacted.

3. Plaintiff is authorized to file the Declaration under seal and it shall be maintained under seal by the Clerk of the Court.

4. Defendants and their legal counsel are prohibited from otherwise publicly disclosing the name of the Plaintiff or information which, directly or indirectly, identifies him unless otherwise ordered by this Court.

4. Defendants and counsel for the Defendants are prohibited from disclosing the name of the Plaintiff or information which, directly or indirectly, identifies him as the plaintiff in this litigation except as necessary to litigate this action. Any person to whom disclosure of Plaintiff's identity as the plaintiff in this litigation is made shall first read this order prior to having access to the identity of Plaintiff and sign an acknowledgement form in which they agree to abide by the terms of this Order.

~~4. The provisions of this Order shall survive the termination of the litigation.~~

Plaintiff's Order to Proceed Anonymously is temporarily granted. If Defendants oppose Plaintiff's motion to proceed anonymously, Defendants may submit briefing on the topic on or before their deadline, pursuant to the Federal Rules of Civil Procedure, to answer or otherwise respond to the complaint. If Defendants do not file any materials in opposition by that date, I will consider Plaintiff's motion unopposed. The provisions of this Order shall survive through and until that deadline. If Defendants oppose Plaintiff's motion, Plaintiff may file a reply within seven (7) days of Defendants' opposition.

SO ORDERED:

A handwritten signature in black ink, reading "Vernon Broderick", is written over a horizontal line.

United States District Judge

August 31, 2022